

10/523892

IN THE INTERNATIONAL BUREAU OF WIPO

DT05 Rec'd PCT/PTO 04 FEB 2005

In re PCT application of) Authorized Officer:
COOK BIOTECH INCORPORATED) Brian Pellegrino
)
International Application)
Number PCT/US03/27695) Mailing Date
) 14 June 2004
International Filing Date)
04 September 2003) Agent's File
) Reference:
Title of Invention) 3433473COOKB
TISSUE GRAFT PROSTHESIS)
DEVICES CONTAINING JUVENILE OR)
SMALL DIAMETER SUBMUCOSA)

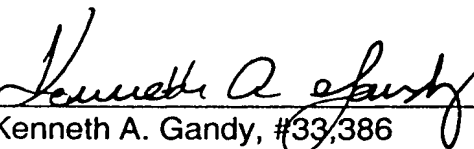
RESPONSE TO THE INTERNATIONAL SEARCH REPORT

The International Bureau
WIPO
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Dear Sir/Madam:

In response to the International Search Report mailed
20 April 2004, regarding the above-referenced PCT Patent Application,
Applicant does not wish to make any amendments at this time.

Respectfully submitted

By 
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 3433473COOKB	FOR FURTHER ACTION	see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. PCT/US03/27695	International filing date (<i>day/month/year</i>) 04 September 2003 (04.09.2003)	(Earliest) Priority Date (<i>day/month/year</i>) 06 September 2002 (06.09.2002)
Applicant COOK BIOTECH INCORPORATED		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the Report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐

contained in the international application in written form.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority in written form.

☐

furnished subsequently to this Authority in computer readable form.

☐

the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐

the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (See Box II).

4. With regard to the **title**,

☒

the text is approved as submitted by the applicant.

☐

the text has been established by this Authority to read as follows:



5. With regard to the **abstract**,

☐

the text is approved as submitted by the applicant.

☒

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. 2

☐

as suggested by the applicant.

☒

because the applicant failed to suggest a figure.

☐

because this figure better characterizes the invention.

☐

None of the figures

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/27695

Box III TEXT OF THE ABSTRACT (Continuation of Item 5 of the first sheet)

NEW ABSTRACT

Described are preferred tissue graft materials that incorporate juvenile submucosa tissue from a warm-blooded vertebrate. Preferred materials incorporate juvenile small intestinal submucosa tissue from a mammal such as a porcine mammal, and the constructs are preferably in tubular form (10) and utilize the isolated submucosa tissue in its native, intact tubular form. Additional devices include multi-laminate structures which include the juvenile submucosa tissue in and at least one additional layer or multiple layers (12,13,14,15,16) providing increased strength or other advantageous properties to the construct.

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A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : A61F 2/06

US CL : 623/1.1

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 623/1.1,1.13,1.38,1.44,23.64;600/36

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
Please See Continuation Sheet

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2002/0087214 A1 (Kropp et al) 04 July 2002 (04.07.2002), See page 2 paragraph 11, page 5 paragraph 54, page 6 paragraph 71.	29,30,33,34,37
X	US 6,334,872 B1 (Termin et al) 01 January 2002 (01.01.2002), See col. 1, lines 39-42,48-55, col. 3, lines 48-56, col. 4, lines 21-26,33-37, 47-52, col. 7, lines 33-35, 48-60, col. 9, lines 20-30, Figs. 1A-1C.	1-15,17-23,25-40
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Y		16,24
Y	US 6,206,931 B1 (Cook et al) 27 March 2001 (27.03.2001), See col. 5, lines 39-45, col. 6, lines 4-9, col. 14, lines 28,29, Fig. 1.	16,24

☐ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T"

later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X"

document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y"

document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&"

document member of the same patent family

Date of the actual completion of the international search

03 March 2004 (03.03.2004)

Date of mailing of the international search report

20 APR 2004

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Facsimile No. (703) 305-3230

Authorized officer

Brian Pellegrino

Telephone No. 703-308-0858

INTERNATIONAL SEARCH REPORT

PCT/US03/

Continuation of B. FIELDS SEARCHED Item 3:

EAST

text terms: juvenile, young, immature, fetal, pig, calf, lamb, submucosa, graft